



# PRESS RELEASE

## House Armed Services Committee

### Floyd D. Spence, Chairman

**FOR IMMEDIATE RELEASE**

October 12, 1999

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#### **SPENCE TO PRESIDENT: SIGNING STATEMENT INCONSISTENT WITH LAW, WILL DELAY OVERDUE DOE MANAGEMENT AND NUCLEAR SECURITY REFORMS**

On October 5<sup>th</sup>, President Clinton signed into law the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65), which contained the most significant Department of Energy (DOE) reorganization and reform initiatives since the department was established more than two decades ago. In response to revelations of extensive espionage by the People's Republic of China as well as the subsequent bipartisan recommendations of the Cox-Dicks Committee and the President's own Foreign Intelligence Advisory Board, Congress included provisions in the law to dramatically improve DOE management and security of nuclear weapons programs.

After signing the law, President Clinton issued a statement directing a series of specific actions that are inconsistent with the legislation. In response to the President's statement, Chairman of the House Armed Services Committee and one of the authors of the DOE legislation, Representative Floyd Spence wrote a letter to the President asking him to "withdraw the directions" and "clarify the disturbing ambiguity that now exists on the question of whether your Administration intends to implement the DOE reorganization and reform provisions in S.1059 consistent with congressional intent and the letter of the law."

"When you consider the President's directions, it seems that the Administration's focus is more on protecting an unacceptable status quo and perpetuating a dysfunctional DOE bureaucracy than it is on moving cooperatively forward with the Congress to better manage and protect U.S. nuclear weapons," said Spence. "Having the President engaged in bureaucratic turf battles instead of implementing long overdue reforms will only postpone attainment of a better managed DOE and a more secure nuclear arsenal."

To better oversee the timely and effective implementation of the DOE reorganization legislation, last week, Spence appointed a Special Oversight Panel on Department of Energy Reorganization. The panel will be chaired by Congressman Mac Thornberry (R-TX). Congresswoman Ellen Tauscher (D-CA) will serve as Ranking Democrat. Other members of the panel are Representatives Duncan Hunter (R-CA); Lindsey Graham (R-SC); Jim Gibbons (R-NV); Jim Ryun (R-KS); Norman Sisisky (D-VA); and John Spratt (D-SC). Both Spence and Armed Services Committee Ranking Democrat Ike Skelton will serve on the panel in an ex officio capacity.

A copy of the Spence letter to President Clinton follows.

# # #

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U.S. House of Representatives

Washington, DC 20515-6035

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October 12, 1999

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ANDREW K. ELLIS, STAFF DIRECTOR

The Honorable William J. Clinton  
President of the United States  
The White House  
Washington, D.C. 20500

Dear Mr. President:

Having attended last Tuesday's signing ceremony for S.1059, the National Defense Authorization Act for Fiscal Year 2000, where you made no mention of the Department of Energy (DOE) reorganization provisions contained in the legislation, I was surprised and disappointed to subsequently read your official October 5<sup>th</sup> signing statement. In your written statement, you direct a series of specific actions that are entirely inconsistent with the legislation you signed into law, actions that would undermine DOE reorganization and reform initiatives necessary to ensure the better management and security of the nation's nuclear weapons.

Management and security problems at DOE are not new. However, revelations of extensive Chinese espionage, and the recent conclusions of the bipartisan Cox-Dicks Committee and your own Foreign Intelligence Advisory Board (PFIAB) have brought the enormity of DOE's management and security shortcomings into sharper focus within the last year. The DOE reorganization provisions enacted in S.1059 are based on your PFIAB's recommendations and the congressional testimony of its Chairman, former Senator Rudman. The provisions enjoy strong bipartisan support in Congress and, based on my experience, across the country. The actions which you direct in your October 5<sup>th</sup> signing statement will only perpetuate an unacceptable status quo – i.e., a DOE culture and bureaucracy aptly characterized by the PFIAB as "dysfunctional."

The October 5<sup>th</sup> signing statement raises serious doubt as to your Administration's commitment to taking the steps necessary to improve the management and security of the nation's nuclear weapons. The actions you have directed will undoubtedly be met with strong opposition in Congress and will certainly serve to strengthen already substantial support for creating an agency entirely independent of DOE to manage the nation's nuclear programs – an option also recommended by the PFIAB.

While Secretary Richardson has inexplicably opposed these DOE reorganization provisions for months, I had hoped that enactment of the bill would put an end to the controversy. Apparently I was wrong. Continuing to engage in this battle, instead of moving forward with necessary reorganization and reform, will serve only to postpone attainment of a better managed DOE and a more secure nuclear arsenal. I therefore respectfully request that you withdraw the directions issued in your October 5<sup>th</sup> signing statement and clarify the disturbing ambiguity that now exists on the question of whether your Administration intends to implement the DOE reorganization and reform provisions in S.1059 consistent with congressional intent and the letter of the law.

Sincerely,

A handwritten signature in black ink, reading "Floyd D. Spence". The signature is fluid and cursive, with the first name "Floyd" being more prominent and the last name "Spence" following in a similar style.

Floyd D. Spence  
Chairman